

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00287

Jeremy Ray,
Plaintiff,

v.

Matt Bingham et al.,
Defendants.

ORDER

Plaintiff Jeremy Ray, proceeding pro se and *in forma pauperis*, filed this civil-rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 2.

On September 1, the magistrate judge issued a report recommending that plaintiff's case be dismissed with prejudice pursuant to 28 U.S.C. §§ 1915A(b)(1) and 1915(e)(2)(b). Doc. 7. Plaintiff filed timely written objections. Doc. 9.

The court reviews the objected-to portions of a magistrate judge's report and recommendation de novo. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The magistrate judge recommended dismissal because defendants are immune from suit, are not individuals subject to suit under § 1983, or are not alleged to have been personally involved in violating his constitutional rights. Doc. 7 at 5-7. Plaintiff's objections do not refute those bases for dismissal. *See* Doc. 9.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules plaintiff's objections and accepts the report's findings and recommendation. This case is dismissed with prejudice on the basis of judicial and prosecutorial immunity and for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(b).

So ordered by the court on September 23, 2021.



J. CAMPBELL BARKER
United States District Judge